

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 02-1557

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BESSIE CRABTREE,

Petitioner,

versus

VIRGINIA CREWS COAL COMPANY; DIRECTOR, OFFICE  
OF WORKERS' COMPENSATION PROGRAMS, UNITED  
STATES DEPARTMENT OF LABOR,

Respondents.

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On Petition for Review of an Order of the Benefits Review Board.  
(01-0664-BLA)

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Submitted: October 18, 2002

Decided: November 26, 2002

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Before KING and GREGORY, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Timothy F. Cogan, CASSIDY, MYERS, COGAN, VOEGELIN & TENNANT, L.C.,  
Wheeling, West Virginia, for Petitioner. John P. Scherer, FILE,  
PAYNE, SCHERER & FILE, Beckley, West Virginia, for Respondents.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Bessie Crabtree seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C. §§ 901-945 (2000). Our review of the record discloses that the ALJ's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Crabtree v. Virginia Crews Coal Co., No. 01-0664-BLA (BRB Mar. 28, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED